

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MAKE THE ROAD NEW YORK, *et al.*,

Plaintiffs,

v.

No. 19-07993 (GBD)

KENNETH CUCCINELLI, *et al.*,

Defendants.

STATE OF NEW YORK, *et al.*

Plaintiffs,

v.

No. 19-cv-07777 (GBD)

U.S. DEPARTMENT OF HOMELAND
SECURITY, *et al.*

Defendants.

MOTION FOR STAY OF INJUNCTION PENDING APPEAL

Defendants respectfully move the Court to stay pending appeal the Court's order granting a nationwide preliminary injunction in this matter. For the reasons discussed in Defendants' Memorandum of Law in Support of Defendants' Motion for Stay of Injunction Pending Appeal, this Court should stay its preliminary injunction pending the resolution of the federal government's appeal. At a minimum, it should stay its injunction insofar as it sweeps more broadly than necessary to redress Plaintiffs' alleged injuries. Defendants conferred with Plaintiffs, who oppose this motion.

Dated: August 3, 2020

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on August 3, 2020, I electronically filed a copy of the foregoing. Notice of this filing will be sent via email to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

/s/ Joshua M. Kolsky
JOSHUA M. KOLSKY